IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 10901 of 2006(W)

PETITIONER:

R.RENJITH KUMAR,
S/O.RETHANAYYAN NADAR,
RESIDING AT T.C.21/47(9), `SREYAS' BUILDING,
KILLIPALAM, THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

1.THE DIRECTOR OF MUNICIPALITIES,
STATE OF KERALA,
PUBLIC OFFICE BUILDING,
THIRUVANANTHAPURAM.

2.THE CORPORATION OF THIRUVANANTHAPURAM,
REP. BY ITS SECRETARY,
OFFICE OF THE CORPORATION OF THIRUVANANTHAPURAM,
THIRUVANANTHAPURAM.

3.THE SECRETARY,
OFFICE OF THE CORPORATION OF THIRUVANANTHAPURAM,
THIRUVANANTHAPURAM.

4.THE HEALTH INSPECTOR,
KARAMANA CIRCLE,
THIRUVANANTHAPURAM CORPORATION.

5.MURALIDHARAN NAIR ALIAS MURALI,
S/O.SUKUMARAN NAIR,
RESIDING AT T.C.23/1191, MELARANNOOR,
KARAMANA.P.O, THIRUVANANTHAPURAM.

6.R.KANAKA LATHA,
W/O.MURALIDHARAN NAIR,
RESIDING AT DO. DO.

7.SMT. SUKUMARI,
C/O.KRISHNANKUTTY,
PROPRIETOR, `THATTUCADA' HOTEL,
T.C.21/47 (5),
KILLIPALAM, TRIVANDRUM.

R5 TO R7 BY ADV. SRI.S.RAJASEKHARAN NAIR
R1 BY GOVT. PLEADER MR.K.J.MOHAMMED ANSAR
R2-R3 BY ADV.MR.N.NANDAKUMARA MENON, S.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (W.P.C.NO.10901/06)

EXT.P1: A TRUE PHOTOCOPY OF THE LEASE DEED DATED 11.5.2001 EXECUTED BY RESPONDENTS 4 AND 5 IN FAVOUR OF THE PETITIONER WITH REGARD TO THE SHOP ROOM BEARING T.C.NO.21/47(5).

EXT.P2: A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 5.8.2005 SUBMITTED BEFORE THE THIRD RESPONDENT.

EXT.P3: A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 5.8.2005 SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT.

EXT.P4: A TRUE PHOTOCOPY OF THE COMPLAINT DATED 20.11.2005 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

PIUS C. KURIAKOSE,J.

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W.P.(C)No.10901 of 2006

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Dated: 6th March, 2007

JUDGMENT

It is submitted that respondents 5, 6 and 7 have filed counter affidavits. Those counter affidavits are yet to be received. However considering the statement filed by the Corporation of Thiruvananthapuram and the pendency of Ext.P2 complaint filed by the petitioner before the Corporation, I am of the view that it is not necessary that this court goes into the merits of the matter. Accordingly, the Writ Petition will stand disposed of with the following directions:

The third respondent, the Secretary of the Corporation will issue notice on Ext.P2 to the petitioner and also on respondents 5, 6 and 7, hear all of them and take a decision at the earliest and at any rate within one month of receiving a copy of this judgment. The decision so taken by the third respondent will be communicated to all the persons who were heard by him.

srd **PIUS C.KURIAKOSE, JUDGE**